

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated May 9, 2003, claims 1-18 are pending in the application. Applicants respectfully request the Examiner for reconsideration.

The drawings stand objected to under 37 CFR §1.83(a) because they fail to show the controller 20 described in the specification. Applicants submit herewith a copy of revised Fig. 1 showing controller 20 illustrated thereon. Applicants respectfully request the Examiner for approval of these drawings.

Claims 1-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Naito* (5,657,229). Applicants respectfully traverse.

Claim 1 is directed to a control system for an automotive vehicle that includes a wheel speed sensor and a controller that determines a vehicle speed, calculates vehicle slip based on the vehicle speed and the rotational speed, estimates a normal force on the wheel, calculates a modified brake torque signal in response to the wheel slip at the normal force, and actuates the wheel brake in response to the modified brake torque signal. The Examiner cites the *Naito* reference for teaching the elements of claims 1, 7, and 14. However, no specific teaching is recited for "calculating a modified brake torque signal in response to the wheel slip and the normal force, and actuating the wheel brake in response to the modified brake torque signal." The Examiner points to the abstract for teaching a normal force on the wheel. As those skilled in the art will recognize, a normal force on the wheel is not necessarily the load on the wheel. The Examiner is directed to Fig. 2, which shows a longitudinal force and a normal force at the wheel. Further, no teaching or suggestion is provided in the *Naito* reference for calculating a modified brake torque signal in response to a wheel slip and normal force. A wheel slip rate is mentioned in *Naito* in several locations. However, no teaching or suggestion is provided for calculating a modified brake torque in response to the wheel slip and the normal force.

Claim 7 is similar to claim 1 in that a modified brake torque signal is calculated in response to the wheel slip and the normal force. Applicants respectfully submit that claim 7 is also allowable for the same reasons set forth above.

Claim 14 is also believed to be allowable for the same reasons set forth above because the wheel slip and the normal force for each of the plurality of wheels is used to calculate a respective modified brake torque. Applicants respectfully submit that this is not taught or suggested in claim 1. Likewise, dependent claims 2-6, 8-13, and 15-18 are further limitations of their independent claims and are believed to be allowable for the same reasons set forth above.

In light of the above remarks, applicants submit that the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 50-0476.

Respectfully submitted,
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